

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMBROSE N. LEWIS,

Defendant.

Case No. 03-cr-40038-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on defendant Ambrose N. Lewis's motion for a free copy of the docket sheet in his criminal case (Doc. 40). He states he needs a copy of the docket sheet to petition the Court for collateral relief from his sentence.

Defendants have no constitutional right to a complimentary copy of any document in their court files. *See United States v. Groce*, 838 F. Supp. 411, 413, 414 (E.D. Wis. 1993). Before providing copies free of charge, a district court may require the requestor to show: (1) that he has exhausted *all* other means of access to his files (*i.e.*, through his trial and appellate counsel), (2) that he is financially unable to secure access to his court files (*i.e.*, through a showing similar to that required in 28 U.S.C. § 1915(a)(2) which includes a certified copy of the prisoner's trust account for the previous six-month period prior to filing), and (3) that the documents requested are necessary for the preparation of some specific non-frivolous court action. *See United States v. Wilkinson*, 618 F.2d 1215, 1218-19 (7th Cir. 1980); *Rush v. United States*, 559 F.2d 455, 459 (7th Cir. 1977); *Groce*, 838 F. Supp. at 413-14. These minimal requirements do not impose any substantial burden to financially unable prisoners who desire their records be sent to them at government expense.

Lewis has not made a showing of any of the three things necessary to justify a free copy of

his docket sheet. For this reason, the Court **DENIES without prejudice** Lewis's motion (Doc. 40).

IT IS SO ORDERED.
DATED: May 15, 2012

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE